

**Edward Haller**

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**From:** Andrew Blocksom <andrewblocksom@yahoo.com>  
**Sent:** Wednesday, December 17, 2014 4:12 PM  
**To:** ehaller@warren.org; Enzo Cantalamessa; wdoug@aol.com  
**Subject:** meeting follow up with PWT  
**Attachments:** Copy of Copy of Patriot Charges Form showing industrial surcharge balance and oil and gas outstanding.xls

Dear Ed,

Thank you for taking time from your day to meet with me this morning. I apologize for my passion that comes out of me with regard to my business and families I employ. They mean a lot to me and as you have heard, the experience to have our business stay open through such a fight was anything but normal.

Thank you for keeping a clear head so that we can find a common ground.

As I mentioned at the meeting, for Patriot to be able to move forward with the support of our creditors, we need a revised surcharge on our industrial flow tds in the amount of 2% effective on the outstanding balance and moving forward. The oil and gas surcharge will be paid in full through the current billing period and will move forward at the current rate. As I mentioned, I will do my best to keep everything rolling at the above rates but would add that a future discussion as the market changes may happen beyond my control. Lets hope not. I will keep you in the loop as the market progresses. Please keep in mind that our customers investment in drilling is correlated to the oil and gas price which is currently trending down. We are hoping for no blood in the streets but armed with this info your ear on the ground listening to commodity prices with give you warning to my call.

I am attaching the spreadsheet that I told you that I would send. It shows the requested amount for us to pay to bring the account to current with the renegotiated rate on the industrial tds surcharge of 2%.

For clarification purposes and to make the bank warm and fuzzy, could you please provide the modified or new administrative orders that you feel we have been lacking so everything is buttoned up.

As soon as you can process the paperwork showing the cities acceptance of the negotiated rate and administrative orders showing industrial surcharge, I can present it to my bank with a request for the money. The revised outstanding balance would be \$109,488.92.

I really appreciate your help and willingness to listen so that we can save my business and preserve a revenue stream for the city.

Merry Christmas.

Andy

**Andrew W Blocksom, President**





*Office of the Mayor*  
*City of Warren*

*William Douglas Franklin*  
*Mayor*

391 Mahoning Ave., N.W. • Warren, Ohio 44483-4634  
Phone: (330) 841-2601 • Fax: (330) 841-2676

**Enzo C. Cantalamessa**  
Director of Service-Safety

October 3, 2014

Andrew W. Blocksom, President  
Patriot Water Treatment  
7716 Depot Rd  
Lisbon OH 44432-9433

Mr. Blocksom,

I reviewed your letter that we received September 15, 2014. First, thank you for allowing me the opportunity to respond to your questions regarding the perceived billing issues with your company. As was discussed, written about, and touted at great length, the ERAC ruling was a great mutual benefit to the City of Warren and Patriot. Nothing has changed on the City's side to want to change that partnership.

In regard to your assertion that the surcharge for TDS is in any way improper, I ask you to review the following items:

*Codified Ordinances of the City of Warren, Section 924.04*

*(b) Compatible Pollutant Limitation. No wastewater shall be discharged which exceeds the maximum daily concentration established for the following compatible pollutants without permission from the Superintendent and payment of the appropriate surcharge:*

<u>Pollutant</u>	<u>Maximum Daily Concentration (ppm)</u>
BOD	200
COD	600
Ammonia nitrogen	35
Oil and grease (Freon soluble)	100
Phosphate (as P)	15
Solids (total suspended)	250
Solids (total dissolved)	1500
pH	Within the range of 6 to 9 at all times

*(Ord. 10740/94. Passed 12-14-94.)*



Codified Ordinances of the City of Warren, Section 925.03

(d) Surcharge of Acceptable Industrial Waste.

(1) In addition to the foregoing rates and charges, any premises discharging acceptable industrial waste which places a burden upon the system greater than that imposed by normal sewage shall pay a surcharge. Any discharger that is in a surcharge violation will remain in a surcharge violation until such a time as the discharger can prove that it is no longer in violation. (Ord. 11435/00. Passed 10-25-00.)

Additionally, per your Administrative Orders dated April 20, 2011,

**Section 1. Wastewater Discharge Limitations and Monitoring Requirements.**

*Patriot Energy Partners, LLC shall comply with the effluent limitations, monitoring requirements, and reporting requirements as follows:*

**Categorical** Part 437 Subpart C Sample point at end of process, at pretreatment facility

POLLUTANT	CATEGORICAL DAILY MAX	CATEGORICAL MONTHLY AVG.	ORDINANCE DAILY MAX	SAMPLE FREQUENCY	SAMPLE TYPE	REPORTING UNITS
Cadmium				Once/Month	COMP	Ug/l
+Chromium (total)			1500	Once/Month	COMP	Ug/l
Chromium (hex)			1400	Once/Monthly	GRAB	Ug/l
Copper	865	757	830	Once/Month	COMP	Ug/l
Lead				Once/Month	COMP	Ug/l
+Nickel			1800	Once/Month	COMP	Ug/l
Zinc	497	420	1210	Once/Month	COMP	Ug/l
Mercury			3.5	Once/Month	COMP	Ug/l
Silver				Once/Month	COMP	Ug/l
*COD			600	Once/Month	COMP	Mg/l
PH			6 to 9	Once/Month	GRAB	S.U.
Cyanide (total)				Once/Month	GRAB	Mg/l
Cyanide (free)			335	Once/Month	GRAB	Ug/l
Ammonia			35	Once/Month	COMP	Mg/l
TDS*			1500	Daily	GRAB	Mg/l
TSS*			250	Daily	GRAB	Mg/l
Flow				Daily	CONTINUOUS	GPD
Arsenic			200	Once/Month	COMP	Ug/l
Antimony			329	Once/Month	COMP	Ug/l
Molybdenum			699	Once/Month	COMP	Ug/l
Selenium			1470	Once/Month	COMP	Ug/l

\* Concentrations exceeding limitation are surchargeable listed in Section 2 of this Administrative Order.

**Section 2. SPECIAL REQUIREMENTS**

- A. *Compatible polluting; Biological Oxygen Demand (BOD), Chemical Oxygen Demand (COD), Total Suspended Solids (TSS), Total Dissolved Solids (TDS), and Ammonia Nitrogen (NH3) may be discharged to the maximum daily concentration established in the Sewer Use Ordinance, and Sections 1 and 2 of this Order.*

*However, to exceed these limits, the appropriate surcharge will be assessed.*

*If there is a surcharge violation, the surcharge will remain in effect until such a time that it is proven there is no longer a surcharge violation.*

*The surcharge will be computed in accordance with the following formula for each constituent found to be of excess concentration:*

$$S = [.22 (BW-200) + .11 (CW-600) + .12 (SW-250) + .12 (DW-1500) + 1.22 (NH3-35)] .0062 (Z) (D)$$

*Where:*

*S = Surcharge for a wastewater constituent of excessive strength*

*.0062 = Factor used in converting Mg/L to pounds*

*Z = Number of 100 units*

*SW = User's SS concentration (Mg/L)*

*250 = Normal SS concentration (Mg/L)*

*DW = User's DS concentration (Mg/l)*

*1500 = Normal DS concentration (Mg/l)*

*BW = User's BOD concentration (Mg/L)*

*200 = Normal BOD concentration (Mg/L)*

*CW = User's COD concentration (Mg/l)*

*600 = Normal COD concentration (Mg/l)*

*NH3 = User's NH3 concentration (Mg/L)*

*35 = Normal NH3 concentration (Mg/L)*

*D = Days in violation*

As you can see in the above referenced items, surcharge for TDS is required by both the codified Ordinances and your Administrative Orders and the original source of the TDS is of no concern. The only place the original source of TDS is referenced is in your Administrative Orders: *Section 5 (D) The industrial user is limited on the daily discharge of 100,000 Gallons of Brine water with Total Dissolved Solids (TDS) at a maximum strength of 50,000 Mg/l or 41,700 lbs. of TDS applied daily Per direction of Northeast District Office Ohio EPA.*

In conclusion, I hope that you see that the City's only option to charging for surcharge is to deny the discharge completely. I hope we are able to avoid that outcome. I have asked the staff at Water Pollution Control to review our NPDES Permit and your Administrative Orders to insure that the discharge of "Industrial Waters" which many times are exceeding the 50,000(Mg/L) limit is permissible and if your Administrative Orders need to be updated to include this new stream. In the spirit of cooperation, I will keep you informed in this process.

Sincerely,



Enzo Cantalamessa, Director of Service and Safety





# ***Water Pollution Control Department***

***City of Warren, Ohio William Douglas Franklin***  
***Mayor***

2323 Main Ave., S.W., Warren, Ohio 44481-9603  
Phone: (330) 841-2591 Fax: (330) 841-2717

***Atty. Enzo C. Cantalamessa***  
***Director of Service-Safety***

***Edward J. Haller***  
***Director***

***James Wilden***  
***Superintendent***

***Ed Russ***  
***Network Systems***  
***Supervisor***

***Sam Ludwick***  
***Chemist***

***Michael T. Welke***  
***Biosolids/Maintenance***  
***Manager***

***John Gennock***  
***Biosolids Salesman***

***Keith Folman***  
***Industrial Pretreatment***  
***Coordinator***

***Robert J. Stahl***  
***Accounting Coordinator***

December 18, 2014

**Andrew W. Blocksom, President**  
**Patriot Water Treatment**  
**7716 Depot Rd**  
**Lisbon, OH 44432-9433**

Mr. Blocksom,

I am glad we were finally able to meet to discuss your concerns regarding the proposed surcharge revision for Patriot. I also appreciate the additional document you provided. I will be reviewing the details of the Administrative Orders in light of this information as we approach preparation of new Administrative Orders for the two discharge streams we receive from your company.

Based on the proposed reduction in the surcharges for the Industrial flow, I personally calculated what the new reduced balance for all surcharges would be for the outstanding balance representing May through November, 2014. The value I arrived at was the same as what you proposed at \$109,488.92. This amount will be accepted from Patriot to bring your account current. As you committed to us in our meeting with you yesterday, I look forward to receiving this amount from you in the next few business days.

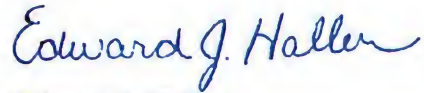
Until we have a new set of Administrative Orders in place, the surcharges for the two Patriot discharges will continue to be calculated as we discussed and I referenced above. The Oil and Gas stream will be calculated as 20% of the full rate as detailed in the most recent Administrative Orders, and the Industrial stream will be calculated at 2% of the full rate. These are both currently based on the flow and total dissolved solids concentrations.

As we approach the preparation of new Administrative Orders I would appreciate any additional information you would like for me to consider. I can say that elevated Barium and COD concentrations are among those parameters of concern. As I continue to work with my staff in the preparation of the new Administrative Orders I may have additional questions.



If you have any questions feel free to contact me.

Sincerely,



Edward J. Haller,  
Director of Water Pollution Control

Cc: William D. Franklin, Mayor  
Enzo Cantalamessa, Director of Service and Safety  
James Wilden, Superintendent  
Robert J. Stahl, Accounting Coordinator  
Keith Folman, Pretreatment Coordinator





March 11, 2015

Mr Edward Haller, Director of Water Pollution Control  
2323 Main Avenue S.W.  
Warren Ohio 44481

Dear Director Haller,

I am writing this letter to first thank you, the Mayor, City Service Director and the administration for your help with our industrial rate adjustment. It has meant all the difference for Patriot to be competitive in this ever changing market. We will be sure to keep your team informed with any future issues as they evolve and appreciate your open ears and minds as always.

The second reason for my note is to follow up with your December 18, 2014 letter with regard to your concerns for elevated Barium and COD levels from Patriot. After getting through the holidays, my operations manager Jeff Faloba began doing some research on the treatment of Barium and COD. We are beginning to try some recommended processes to reduce the levels being discharged. We will communicate through Keith as we progress during his regular visits to our facility and will certainly copy you on data from our findings.

During our search for solutions for Barium and COD, we reviewed the water shed study that the city performed for the past three and ½ plus years. This study was done for the sole purpose of protecting the city of Warren and its' business partners from agencies having issues without scientific cause. Fortunately, because we had this study data, the Warren and Patriot team prevailed in costly litigation over someone's concern supported only by opinion. Without the water shed study data, Patriot would not exist today and other business like GM and Delphi who testified alongside the mayor would have been affected as well.

First, what we found was that Barium is not a pollutant promulgated by the EPA; instead they provided a guidance number. We believe that with the proof of the water shed data this question can be answered and dealt with easily with a discussion with the regulator and we would be willing to offer our EPA council, consultant and lobbyist to help.

The study shows Barium and COD being safely assimilated into the water shed for three plus years. We would welcome the cities participation in the continuation of the water shed study because of the importance to protect all of Warren's businesses. I am sure we can talk to some of the businesses to share in the expense if that is an issue for Warren. We were just made aware that the EPA is now trying to pass laws for the collection of nutrient information for POTWs over 1mgd instead of the normal rule process. We have shown repeatedly that limits that are set on science based data provides the greatest balance between environmental responsibility and regulatory rule implementation. We also know that having actual data versus projected modeling is



the best way to set policy. We believe that Warren does not want to lose businesses by making regulations harder than other communities or by being caught without data when a question is asked or statement of opinion is made again.

I would welcome the opportunity to discuss this further with you and the administration at your convenience.

Best Regards and GO WARREN,

*Andy*

**Andrew W Blocksom, President**

**(330) 853-9321 Direct (330) 399-1151 Warren Plant (330) 222-1274 Lisbon Office**

[www.patriotwatertreatment.com](http://www.patriotwatertreatment.com)



## Edward Haller

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**From:** Andrew Blocksom <andrewblocksom@yahoo.com>  
**Sent:** Tuesday, March 17, 2015 2:59 PM  
**To:** Edward Haller  
**Subject:** Re: Warren NPDES Permit Exceedance 3/3/15

Hi Ed I forwarded this to April and she is reviewing the information and will get back to us tomorrow. I will be in touch .  
Thanks

Sent from my iPhone

On Mar 17, 2015, at 1:04 PM, Edward Haller <[ehaller@warren.org](mailto:ehaller@warren.org)> wrote:

As requested.

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**From:** Kniss, Donna [<mailto:Donna.Kniss@epa.ohio.gov>]  
**Sent:** Thursday, March 12, 2015 4:39 PM  
**To:** Edward Haller  
**Cc:** Schmidt, John; Blasick, Richard; Ward, Ashley  
**Subject:** RE: Warren NPDES Permit Exceedance 3/3/15

Ed:

I have attached our proposed NPDES compliance schedule language for addressing Warren's noncompliance with the barium wasteload allocation/water quality standard.

Please let me know if you have any comments. Thank you.

Donna

Donna Kniss  
District Engineer  
Ohio EPA Division of Surface Water  
Northeast District Office  
330.963.1285

[donna.kniss@epa.ohio.gov](mailto:donna.kniss@epa.ohio.gov)

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**From:** Edward Haller [<mailto:ehaller@warren.org>]  
**Sent:** Thursday, March 12, 2015 2:53 PM  
**To:** Schmidt, John  
**Cc:** Kniss, Donna; Enzo Cantalamessa; Jim Wilden; Doug Franklin  
**Subject:** Warren NPDES Permit Exceedance 3/3/15

Good Afternoon John,

It was reported today that we had another exceedance of our PEL (340 ug/l) for Barium. On 3/3 the treated effluent concentration was 2180 ug/l. The Non-compliance Notification Form is attached.

Thanks,  
Ed Haller  
Director, Water Pollution Control

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**From:** Edward Haller [<mailto:ehaller@warren.org>]  
**Sent:** Friday, March 06, 2015 12:38 PM  
**To:** 'Schmidt, John'  
**Cc:** '[Donna.Kniss@epa.ohio.gov](mailto:Donna.Kniss@epa.ohio.gov)'; Enzo Cantalamessa; Jim Wilden  
**Subject:** Warren NPDES Permit Exceedance

Good Afternoon John,

Attached is a letter related to the Barium exceedances we spoke about yesterday. In looking at the data for February, I discovered today that we exceeded the PEL for Barium again on 2/17/15 with a concentration of 679 ug/l. Attached is the Non-compliance notification for the most recent value exceeding the PEL. Let me know if you would for me to generate a separate form for each of the prior 22 Barium excursions. I appreciate your communication with me as we work toward meeting the Warren permit requirements.

Regards,  
Ed Haller  
Director, Water Pollution Control

<Warren Ba compliance schedule.docx>



## Edward Haller

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**From:** Andrew Blocksom <andrewblocksom@yahoo.com>  
**Sent:** Friday, March 20, 2015 11:17 AM  
**To:** Edward Haller  
**Subject:** Re: Exceedance of Toxic Pollutant Limitations

Hi Ed,

I spoke with jeff and we believe we found the issue with the elevated metals from one of our customers who's system was not working properly. We believe we will have this rectified shortly and will follow up with you and keith.

Regarding the Tds limit, our permit with epa for our industrial flow does not have a Tds limit which is the same as all other industrial treatment facilities in ohio. I just noticed that your new administrative order in section five varied from our epa permit in suggesting a limit of 50000 ppm limit for Tds.

As we recently discussed, This will make our business completely unable to compete with our competitors and will shut our business down. Please know the city spent over 250k dollars and we spent over 1 million dollars in legal fees to not have this limit for the city or its businesses. Additionally the city focused on having a water shed study show warrens Tds was not a problem down river. Please review our Pti and reconsider so warrens rates don't have to go up. Also, please reconsider your stance on stopping the water shed study. We have seen its value multiple times. We have spoken to other businesses and they are on board for sharing the expense and believe it will save us money from fighting later.

Thank you

Andy

Sent from my iPhone

On Mar 20, 2015, at 9:26 AM, Edward Haller <[ehaller@warren.org](mailto:ehaller@warren.org)> wrote:

Hi Andy,

I just received the data from the most recent monthly set of Patriot samples. I want to let you know that there are three toxic pollutants that the samples exceeded in concentration.

Sample Date: 2/26/15

Pollutant	Sample	Limit	% Exceedance
Zinc	1,900 ug/l	1,210 ug/l	57%
Lead	1,300 ug/l	890 ug/l	46%
Copper	12,000 ug/l	830 ug/l	1,346 %

I have also noticed that the TDS of your discharge has risen well above the 50,000 mg/l set by the EPA and in your Administrative Orders. From 2/13 through 2/28 you reported values between 57,244 and 91,300 mg/l. The grab sample of 2/26 had a TDS concentration of 102,000 mg/l.

Please let me know what you plan to do to bring these concentrations below your limits.

I look forward to hearing back from you.

Regards,  
Ed Haller



## Edward Haller

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**From:** Andrew Blocksom <[andrewblocksom@yahoo.com](mailto:andrewblocksom@yahoo.com)>  
**Sent:** Friday, March 20, 2015 11:52 AM  
**To:** Ed Haller  
**Cc:** ecantalamessa@warren.org; April Bott; dfranklin@warren.org  
**Subject:** Fwd: Industrial Permit  
**Attachments:** Industrial Permit.pdf; Untitled attachment 00054.htm

Please find the attached industrial PTI from OEPA that warren and patriot fought for that does not contain a TDS limit. Please feel free to call me and discuss at your convenience . Thank you.

Andy

Sent from my iPhone

Begin forwarded message:

**From:** Warren Plant <[patriotwater@yahoo.com](mailto:patriotwater@yahoo.com)>  
**Date:** March 20, 2015 at 11:41:09 AM EDT  
**To:** Jeff Faloba <[jefffaloba@yahoo.com](mailto:jefffaloba@yahoo.com)>, Andrew Blocksom <[andrewblocksom@yahoo.com](mailto:andrewblocksom@yahoo.com)>  
**Subject:** Industrial Permit  
**Reply-To:** Warren Plant <[patriotwater@yahoo.com](mailto:patriotwater@yahoo.com)>

# Ohio Environmental Protection Agency

## Permit to Install

Application No: 816662

Applicant Name: Patriot Water Treatment, LLC  
Address: 7716 Depot Road Unit #1  
City: Lisbon  
State Zip: OH 44432


Person to Contact: Andrew Blocksom, President  
Telephone: 330-853-9321

Description of Proposed Source: As-built Wastewater Pretreatment System Modifications for Patriot Water Treatment, LLC - removal and replacement of six frac tanks with two holding tanks at PWT Brine Water Treatment Facility at 2840 Sferra Avenue, Warren, Trumbull County

Issuance Date: March 19, 2012  
Effective Date: March 19, 2012

The above named entity is hereby granted a permit to install for the above described source pursuant to Chapter 3745-42 of the Ohio Administrative Code. Issuance of this permit does not constitute expressed or implied approval or agreement that, if constructed or modified in accordance with the plans included in the application, the above described source of environmental pollutants will operate in compliance with applicable state and federal laws and regulations. Issuance of this permit does not constitute expressed or implied assurance that, if constructed or modified in accordance with those plans and specifications, the above described source of pollutants will be granted the necessary operating permits. This permit is granted subject to the following conditions attached hereto.

Ohio Environmental Protection Agency

  
Scott J. Nally  
Director  
P.O. Box 1049  
50 West Town Street, Suite 700  
Columbus, OH 43216-1049



This permit shall expire if construction has not been initiated by the applicant within eighteen months of the effective date of this permit. By accepting this permit, the applicant acknowledges that this eighteen month period shall not be considered or construed as extending or having any effect whatsoever on any compliance schedule or deadline set forth in any administrative or court order issued to or binding upon the permit applicant, and the applicant shall abide by such compliance schedules or deadlines to avoid the initiation of additional legal action by the Ohio EPA.

The director of the Ohio Environmental Protection Agency, or his authorized representatives, may enter upon the premises of the above named applicant during construction and operation at any reasonable time for the purpose of making inspections, conducting tests, examining records, or reports pertaining to the construction, modification, or installation of the above described source of environmental pollutants.

Issuance of this permit does not relieve you of the duty of complying with all applicable federal, state, and local laws, ordinances, and regulations.

Any well, well point, pit, or other device installed for the purpose of lowering the ground water level to facilitate construction of this project shall be properly abandoned in accordance with the provisions of this plan or as directed by the director or his representative.

Any person installing any well, well point, pit or other device used for the purpose of removing ground water from an aquifer shall complete and file a Well Log and Drilling Report form with the Ohio Department of Natural Resources, Division of Water, within 30 days of the well completion in accordance with the Ohio Revised code Section 1521.01 and 1521.05. In addition, any such facility that has a capacity to withdraw waters of the state in an amount greater than 100,000 gallons per day from all sources shall be registered by the owner with the chief of the Division of Water, Ohio Department of Natural Resources, within three months after the facility is completed in accordance with Section 1521.16 of the Ohio Revised Code. For copies of the necessary well log, drilling report, or registration forms, please contact:

Ohio Department of Natural Resources  
2045 Morse Road Bldg. E  
Columbus, OH 43229-6693  
(614) 265-6717

Patriot Water Treatment LLC shall be responsible for proper operation and maintenance of the wastewater disposal system.

If the construction of the wastewater disposal system has already begun or has been completed before the date the director of the Ohio Environmental Protection Agency approves the plans and issues a permit, the approval does not constitute expressed or implied assurance that the proposed wastewater disposal system has been constructed in accordance with the approved plans. The action of beginning and/or completing construction before obtaining the director's approval is a violation of the Ohio Administrative Code, Rule 3745-42-02. Furthermore, issuance of the permit to install does not constitute an assurance that the proposed wastewater disposal system will operate in compliance with all Ohio laws and regulations. Approval of the plans in any case is not to be construed as an approval of the wastewater disposal system as constructed and/or completed. Moreover, issuance of the permit to install is not to be construed as a waiver of any rights that the Ohio Environmental Protection Agency (or other persons) may have against the applicant for starting construction before the effective date of the permit. Additional facilities shall be installed upon orders of the Ohio Environmental Protection Agency if the proposed wastewater disposal system proves to be inadequate or cannot meet applicable standards.

This permit to install applies only to the wastewater disposal system listed above. The installation of drinking water supplies, air contaminant sources, or solid waste disposal facilities will require the submittal of a separate application to the director.

This permit applies to a wastewater disposal system designed to serve an average hydraulic flow of no more than 200 gallons/minute.

Roof drains, foundation drains, and other clean water connections to the disposal system are prohibited.

No liquids, sludges, or toxic or hazardous substances other than those set forth in the approved permit shall be accepted for disposal without the prior written approval of the Ohio Environmental Protection Agency.

All residuals from pretreatment facilities, whether defined hazardous or nonhazardous, shall be stored, transported, treated, and disposed in a manner that will comply with all applicable local, state, and federal regulations.

Plans for any modifications of pretreatment facilities required for the attainment of U.S. EPA regulations and/or local limitations set by the City of Warren must be submitted to the City of Warren and the appropriate district office of the Ohio Environmental Protection Agency for approval prior to the installation of such facilities.

The City of Warren Publicly Owned Treatment Works (POTW) officials shall be notified of any spills and unusual discharges to the sewer system immediately after discovery of such an occurrence.

All wastewater discharges that will adversely affect the operation, maintenance, or treatment capabilities of the Warren sewer and/or wastewater treatment systems are prohibited.

Records of operation shall be maintained and be available for review and inspection to the City of Warren and the Ohio Environmental Protection Agency upon request.

Patriot Water Treatment LLC shall provide a suitable location to collect representative samples of process wastewater which is discharged into the sanitary sewer.

Patriot Water Treatment LLC shall comply with all applicable U.S. EPA categorical pretreatment standards and local pretreatment regulations as they are adopted from time to time.

The permit to install is not an authorization to discharge pollutants to waters of the state. Pursuant to Chapter 6111 of the Ohio Revised Code, the applicant shall apply for a permit to discharge (NPDES) 180 days prior to any discharge of pollutants to waters of the state.



## Edward Haller

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**From:** Andrew Blocksom <andrewblocksom@yahoo.com>  
**Sent:** Wednesday, March 25, 2015 2:59 PM  
**To:** Edward Haller  
**Cc:** Enzo Cantalamessa; dfranklin@warren.org  
**Subject:** barium info discussed supporting docs from april  
**Attachments:** Barium Letter - Biosolids.docx; Attachments - Barium Biosolids Letter.pdf

Hello Ed,

Please find the letter April wrote for us for you on Barium and the attachments for your review. Please give me a call at your convenience so we can discuss the requested TDS language change in the administrative orders for our industrial pti.

Thank you

Andy

**Andrew W Blocksom, President**



**(330) 853-9321 Direct**  
**(330) 399-1151 Warren Plant**  
**(330) 222-1274 Lisbon Office**

[www.patriotwatertreatment.com](http://www.patriotwatertreatment.com)

"This communication, including any attachments, may contain confidential and privileged information that is subject to the Business Information Protection Policy. The information is intended solely for the use of the intended recipient(s). If you are not an intended recipient, you are prohibited from any use, distribution, or copying of this communication."

March 25, 2015

Edward J. Haller, Director  
Warren Water Pollution Control Department  
2323 Main Avenue S.W.  
Warren, OH 44481

**RE: Barium in Biosolids Application**

Dear Mr. Haller:

Thank you for taking time recently to talk with Patriot Water Treatment ("Patriot") representatives regarding your questions about barium in the Warren POTW's sewage sludge. At the conclusion of the call, Patriot committed to providing you with academic materials addressing the topic of barium in soils, and several such articles are attached. This letter provides a summary of the key findings of those studies and articles.

As you are aware, "barium is relatively abundant in the earth's crust and is found in most soils ... [and] geometric mean concentrations of barium in sediments taken from 16 sampling sites along the southern shore of Lake Ontario and southeastern shore of Lake Erie ranged from 6.0 to 143.6 µg/g." *See* Agency for Toxic Substances and Disease Registry, "Barium and Barium Compounds – Potential for Human Exposure" at 123. Thus, barium is a naturally occurring soil constituent in geographic areas near Warren.

A wealth of research has been conducted on the topic of barium in soils and those studies have concluded that there is little to no hazard to human health from barium contamination resulting from biosolids application. Specifically, barium present in soil tends to form the insoluble compound BaSO<sub>4</sub>. *See* Ippolito, "Biosolids Affect Soil Barium in a Dryland Wheat Agroecosystem", J. Environ.Qual., Vol.35 at 2340. This compound tends not to migrate to, or dissolve in, water, and is therefore not a danger to humans. *Id.*; Lasley, "Chemistry and Transport of Metals from Entrenched Biosolids at a Reclaimed Mineral Sands Mining Site", J.Environ.Qual., Vol. 39 at 1475 ("absolute mass [of barium and other metals] leached posed little health concerns when compared to the USEPA drinking water standards.").

Land application of biosolids containing barium does not have a negative impact on agriculture benefitting from the biosolids. One study concluded that, although nine consecutive years of biosolids application did increase barium concentrations in corn, it did not "exceed the critical levels for human consumption. Therefore, sewage sludge is a valuable resource for agriculture if it can be used properly ...." Nogueira, "Barium uptake by maize plants as affected by sewage sludge in a long-term field study", J.Hazardous Materials Vol. 181 at 1156.

The weight of the research and evidence on this issue demonstrates that there is not a negative result through the ground application of sewage sludge containing barium. In addition, Patriot does not believe that data specific to Warren's biosolids application program exists that would justify any concerns regarding the current barium concentrations in the biosolids.

Patriot believes that Warren should work with its industrial users and Ohio EPA to analyze its existing technical and scientific data as well as determine if additional studies are warranted. Patriot is willing to assist Warren in the development of any additional technical or scientific information required, and please do not hesitate to contact me with any additional questions.

Sincerely,

*Andrew Blocksom*

cc: Enzo Cantalamessa

Enclosures



## Edward Haller

---

**From:** Andrew Blocksom <andrewblocksom@yahoo.com>  
**Sent:** Thursday, March 26, 2015 3:18 PM  
**To:** Edward Haller; Enzo Cantalamessa; dfranklin@warren.org; April Bott; Ben Dickey; Mark Wimsatt  
**Subject:** barium surface water impacts  
**Attachments:** Barium Letter - Surface Water Impacts (2).docx

Hello Ed, Director and Mayor,

Please find the letter from April on Barium surface water impacts.

We need to meet with you to discuss the TDS on our industrial permit as soon as possible. April and I tried via phone and email to convey the importance of this. We are going to have to start turning customers away that won't come back and I do not want to nor can I afford to do that. Also, we cannot afford to waste precious legal dollars that we may need to use to defend our business and the city.

Please get back with me on a time that we can meet or call me to let me know this is taken care of. Thanks

Andy

**Andrew W Blocksom, President**



**(330) 853-9321 Direct**  
**(330) 399-1151 Warren Plant**  
**(330) 222-1274 Lisbon Office**

[www.patriotwatertreatment.com](http://www.patriotwatertreatment.com)

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March 26, 2015

Edward J. Haller, Director  
Warren Water Pollution Control Department  
2323 Main Avenue S.W.  
Warren, OH 44481

**RE: Barium Background and Discharge**

Dear Mr. Haller:

Thank you for taking time recently to speak with Patriot Water Treatment ("Patriot") regarding the presence barium in the Warren POTW's effluent discharge to the Mahoning River. As we discussed during the call, we are concerned about any regulatory actions that result in an economic fence around Warren, including the imposition of discharge limits that are not backed by science and technical data. We appreciate your like-minded approach to this issue and look forward to additional dialog with you and Mr. Cantalamessa. To that end, we are providing additional information in this letter to further future, productive discussions.

As you are aware, barium is a naturally occurring metal found in 99% of raw surface waters and public drinking water supplies. *See* Agency for Toxic Substances and Disease Registry, "Barium and Barium Compounds – Potential for Human Exposure" at 121. Mean concentrations in sampled waters ranged from 10-60 µg/l. *Id.* In addition to naturally occurring barium, potential industrial sources include the manufacturing of motor vehicle parts and accessories, gray, ductile iron, steelworks and furnaces and the medical industry (through barium sulfate).<sup>1</sup> To date, Ohio EPA has extrapolated only a single barium water quality limitation, which only applies to the Ohio River basin, and is set at 2,000 µg/l for drinking water based on the MCL criterion of the Safe Drinking Water Act. *See* O.A.C. 3745-1-36. No other water body in Ohio has any water quality standard for barium, including the Mahoning River.

Data developed by Warren demonstrates that the in-stream barium concentration in the Mahoning River is orders of magnitude lower than the Ohio River's drinking water criterion for barium. *See* Attached Watershed Data. As shown, the highest measured barium concentration from November 2012 to November 2014 was only 111 µg/l. In addition, no data or evidence exists showing that Warren's discharge of barium is having a demonstrated adverse impact on any form of aquatic life in the Mahoning River. Put simply, Ohio EPA allows Ohio River basin derived drinking water to have up to 2,000 µg/l of barium. As such, there cannot be a credible argument that the Mahoning River must be held to significantly lower criterion for non-drinking water. Such a result is clearly punitive to Warren and its businesses. Unfortunately, this is what Ohio EPA appears to be poised to do to Warren.

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<sup>1</sup> <http://www.epa.gov/ogwdw/pdfs/factsheets/ioc/tech/barium.pdf>

Warren's current NPDES permit contains a term, imposed by a theoretical mathematical formula, which Ohio EPA is now trying to use to force the Warren POTW to comply with a 340 µg/l effluent limit for barium. Such a hard limit is not in line with any actual science or Mahoning River data and places Warren at a significant disadvantage to attract and maintain business. For example, other similarly situated municipalities do not have similar barium mandates, despite the existence of similar industry customers.

Patriot is willing to assist Warren in the development of any additional technical or scientific information required, or to assist in any discussions with high level management at Ohio EPA. To that end, we appreciate your willingness to partner with us on this issue critical to Warren and its industrial users, including Patriot.

Sincerely,

*Andrew Blocksom*

Andrew Blocksom

cc: Enzo Cantalamessa



## Edward Haller

---

**From:** Andrew Blocksom <andrewblocksom@yahoo.com>  
**Sent:** Friday, March 27, 2015 3:40 PM  
**To:** Edward Haller; Enzo Cantalamessa; dfranklin@warren.org  
**Subject:** follow up to our talk yesterday about pwt

Dear Ed,

Thank you for your time on the phone yesterday. I really appreciate you taking the time discuss our concerns. I wanted to follow up to confirm that we will be working diligently on the metals concerns that you mentioned. In addition, which was keeping me up at night for the last week, you were not as concerned on the tds and although you were going to start looking at that for the renewal for the city that we are not going to be penalized or in violation if our industrial discharge exceeds the 50,000 ppm tds.

For our new customers that we are approaching, it is our practice to provide our administrative orders to them to show them what our limitations are. If it is possible for you to edit the language on the administrative order to mirror our industrial pti with regard to tds it would close the gap that we have for our higher tds industrial prospects.

Most importantly, we love idea we discussed about saving the city and county on salt costs and will begin a study on the matter immediately. The no limit contract is just plain craziness. Timing is everything and it will take some time to complete the permitting. We will keep you in the loop as it progresses and for your input. This could be a huge win for the city, county and our business and we are excited. Thanks for sharing your time and your thoughts, I really appreciate it.

If you need anything anytime please do not hesitate to call me.

Best Regards

Andy

**Andrew W Blocksom, President**



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## Edward Haller

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**From:** Andrew Blocksom <andrewblocksom@yahoo.com>  
**Sent:** Monday, March 30, 2015 10:43 AM  
**To:** Edward Haller  
**Cc:** Enzo Cantalamessa; Doug Franklin; Jim Wilden; mmcmillion@warren.org; Keith Folman; April Bott; Jeff Faloba  
**Subject:** Re: Patriot Copper

Hello Ed,

Thanks for the update. We we will continue to tweak this on our end to get this better. Thanks for your help. Please let me know if you can provide the language we need in our Admin Orders on the TDS so I keep my customers happy. Thanks so much for working hard for us. We really appreciate it.

Also, we have begun the info gathering on the brine/salt reduction and it is looking good so far. I will update you as it progressed.

Have a great week.

Andy

**Andrew W Blocksom, President**



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On Monday, March 30, 2015 10:16 AM, Edward Haller <[ehaller@warren.org](mailto:ehaller@warren.org)> wrote:

Hi Andy,

I just received the data from the most recent monthly set of Patriot samples. I want to let you know that the toxic pollutant concentrations have improved significantly. Copper is still above the local limit but much closer than it was previously. Here is a comparison of the data:

Sample Date: 2/26/15

Pollutant	Limit	2/26/15	3/18/15
Zinc	1,210 ug/l	1,900 ug/l	524 ug/l
Lead	890 ug/l	1,300 ug/l	142 ug/l
Copper	830 ug/l	12,000 ug/l	1,940 ug/l

I know you are working hard to bring these toxic pollutants into compliance. I have requested weekly samples just for copper analysis between our regular monthly sampling to monitor your continued progress toward reducing and maintaining the copper concentrations below local limits.

Thanks,  
Ed Haller



## Edward Haller

---

**From:** Andrew Blocksom <andrewblocksom@yahoo.com>  
**Sent:** Wednesday, April 01, 2015 10:21 AM  
**To:** Edward Haller  
**Cc:** Enzo Cantalamessa; Doug Franklin  
**Subject:** tds language in permit

Hello Ed,

I apologize for having to follow up on this issue again. We are beginning our sales push for new customers for spring and when meeting with clients most ask for admin orders. The current TDS language will reduce our ability to be successful and we need all of the help we can get. Would you please consider making the change for our orders to reflective of our PTI so we can avoid this challenge. We have been asked to provide our orders to a new client we have been working on for a while , ( we are holding off ) because this will kill the deal with them.

Your help would be greatly appreciated,

Thanks

Andy

**Andrew W Blocksom, President**



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March 12, 2015

Andrew Blocksom  
Patriot Energy Partners, LLC  
7716 Depot Rd.  
Lisbon, Ohio 44432

Re: Temporary Administrative Orders Concerning  
Pretreatment Regulations, Monitoring,  
Allowable Discharge, Pollutants and Limits for  
Industrial flow.

Effective Date: Upon Receipt

Expiration Date: Until replaced by new  
Administrative Orders

Dear Mr. Blocksom:

In accordance with the City of Warren's Pretreatment program as set forth in Ordinance No. 10235/91, Chapter 924, which sets forth uniform requirements for discharge into the City sewer collection and treatment systems, thereby enabling the City to enforce compliance, for the protection of the public health and welfare, this letter will serve as an administrative order notifying your firm of the City's intent to apply and enforce the Pretreatment regulations and applicable laws relating to the City of Warren's Ordinance No. 10235/91 as amended and all applicable state and federal laws.

This order notifies you that you may discharge pollutants as listed in this order, and within the limits as stated. However, no person shall discharge into a public sewer, wastes which are not listed unless issued orders by the Director allowing the discharge of such pollutants. In the absence of such specific orders, no person shall discharge any toxic pollutants except as such pollutants may occur and only in the concentrations such pollutants may occur in the water supply to their premises.

Compatible pollutants may be discharged to the maximum daily concentration established in the Sewer Use Ordinance; however, to exceed these limits, permission must be obtained from the Director, and the appropriate surcharge will be assessed.



*The above-listed statements emphasize that it is imperative that prior notification and approval of the City be obtained before introduction of wastewater constituents or any substantial change in the volume or character of the wastewater constituents are introduced into the wastewater treatment system.*

*This order and the authorization to discharge shall expire at midnight on the expiration date shown above. In order to receive authorization to discharge beyond the above date of expiration, the discharger shall submit such information and forms as are required by the City of Warren ninety days prior to the above date of expiration.*

*Within thirty days after full evaluation and acceptance of the data furnished, the Director shall reissue or modify this order.*

*All discharges authorized herein shall be consistent with the terms and conditions of Ordinance No. 11039/97. The discharge of any pollutant identified in this Order more frequently than, or at a level in excess of, that authorized by this Order shall constitute a violation of the terms and conditions of this Order. Such violations may result in the imposition of civil and/or criminal penalties as provided in Section 924.99 of amended Ordinance No. 11047/97.*

*This Order cannot be transferred or assigned nor shall a new owner or successor be authorized to discharge from this facility, until the following requirements are met:*

- A. The discharger shall notify the City of Warren Pretreatment unit at-least sixty days in advance of the proposed transfer date;*
- B. The notice shall include a written agreement containing a specific date for transfer of discharger responsibility and coverage between the current and new discharge (including acknowledgment that the existing discharger is liable for violations up to that date, and that the new discharger is liable for violations from that date on);*
- C. The Director does not exercise his right to notify the current discharger and the new discharger of his or her intent to modify or revoke the Order and to require that a new application be filed;*
- D. The new owner or successor receives written confirmation and approval of the transfer from the Director.*

*The owner shall be responsible for the proper operation of the permitted waste disposal system and shall properly maintain all units for continuous operation.*

*All residuals from Pretreatment facilities, whether defined hazardous or non hazardous, shall be stored, transported, treated and disposed in a manner that will comply with all applicable local, state and federal regulations.*



*All wastewater discharges that will adversely affect the operation, maintenance, or treatment capabilities of the Warren sewer and/or wastewater treatment systems are prohibited.*

*Daily records of operation shall be maintained and be available to the City of Warren upon request.*

**Section 1. Wastewater Discharge Limitations and Monitoring Requirements.**

*Patriot Energy Partners, LLC shall comply with the effluent limitations, monitoring requirements, and reporting requirements for **Industrial** discharge as follows:*

*Sample point at end of process, at pretreatment facility*

POLLUTANT	CATEGORICAL DAILY MAX	CATEGORICAL MONTHLY AVG.	ORDINANCE DAILY MAX	SAMPLE FREQUENCY	SAMPLE TYPE	REPORTING UNITS
Cadmium			1950	Once/Month	COMP	Ug/l
Chromium (total)			1500	Once/Month	COMP	Ug/l
Chromium (hex)			1400	Once/ Monthly	GRAB	Ug/l
Copper			830	Once/Month	COMP	Ug/l
Lead			890	Once/Month	COMP	Ug/l
Nickel			1800	Once/Month	COMP	Ug/l
Zinc			1210	Once/Month	COMP	Ug/l
Mercury			3.5	Once/Month	COMP	Ug/l
Silver			1200	Once/Month	COMP	Ug/l
COD*			600	Once/Month	COMP	Mg/l
pH			6 to 9	Once/Month	GRAB	S.U.
Oil & Grease*			100	Once/Month	GRAB	Mg/l
BOD*			200	Once/Month	GRAB	Mg/l
Cyanide (free)			335	Once/Month	GRAB	Ug/l
Ammonia			35	Once/Month	COMP	Mg/l
TDS*			1500	Hourly	GRAB	Mg/l
TSS*			250	Hourly	GRAB	Mg/l
Phosphate (P)*			15	Once/Month	GRAB	Mg/l
Flow				Daily	CONTINUOUS	GPD
Arsenic			200	Once/Month	COMP	Ug/l
Antimony			329	Once/Month	COMP	Ug/l
Molybdenum			699	Once/Month	COMP	Ug/l
Selenium			1470	Once/Month	COMP	Ug/l

\* Concentrations exceeding limitation are surchargeable listed in Section 2 of this Administrative Order.

\*\* The volatile fraction shall be collected as a grab sample.

\*\*\* These are pollutant limits listed in the City of Warren Codified Ordinance. These pollutants will be sampled twice annually by the Industrial Pretreatment Department of the City of Warren Water Pollution Control.

Notes:

(1) All samples to be taken by automatic sampler set for sampling frequency of at least once per hour, with the exception of parameters designated to be taken as a grab sample.

(2) Sampling of wastewater shall be representative of operations occurring during the reporting period and shall be taken when all contributing sources are operating.

(3) All sampling and analysis of wastewater discharges shall be made in accordance with approved methods specified in 40 CFR 136.

(4) Additional parameters other than those listed in Section 1 shall include the following:

<u>Parameter</u>	<u>Frequency</u>	<u>Type</u>	<u>Units</u>
Barium	Monthly	Comp	Ug/l
Strontium	Monthly	Comp	Ug/l



## **Section 2. SPECIAL REQUIREMENTS**

- A. *Compatible polluting; Biological Oxygen Demand (BOD), Chemical Oxygen Demand (COD), Total Suspended Solids (TSS), Total Dissolved Solids (TDS), and Ammonia Nitrogen (NH<sub>3</sub>) may be discharged to the maximum daily concentration established in the Sewer Use Ordinance, and Sections 1 and 2 of this Order.*

*However, to exceed these limits, the appropriate surcharge will be assessed.*

*If there is a surcharge violation, the surcharge will remain in effect until such a time that it is proven there is no longer a surcharge violation.*

*The surcharge will be computed in accordance with the following formula for each constituent found to be of excess concentration:*

$$S = [.25 (BW-200) + .14 (CW-600) + .15 (SW-250) + .12(DW-1500)(F)+1.25 (NH_3-35)] .0062 (Z) (D)$$

*Where:*

*S = Surcharge for a wastewater constituent of excessive strength*

*.0062 = Factor used in converting Mg/L to pounds*

*Z = Number of 100 units*

*SW = User's SS concentration (Mg/L)*

*250 = Normal SS concentration (Mg/L)*

*DW = User's DS concentration (Mg/l)*

*1500 = Normal DS concentration (Mg/l)*

*BW = User's BOD concentration (Mg/L)*

*200 = Normal BOD concentration (Mg/L)*

*CW = User's COD concentration (Mg/l)*

*600 = Normal COD concentration (Mg/l)*

*NH<sub>3</sub> = User's NH<sub>3</sub> concentration (Mg/L)*

*35 = Normal NH<sub>3</sub> concentration (Mg/L)*

*D = Days in violation*

*F = .02 percent billing factor*

## **Section 3. GENERAL DISCHARGE PROHIBITIONS**

*No person shall discharge, or cause to be discharged, any of the following described water or wastes to any public sewer:*

- A. *Pollutants that create a fire or explosion hazard in the POTW including, but not limited to, wastestreams with a closed cup flash point of less than 140 degrees Fahrenheit or 60 degrees Centigrade using the test method specified in 40 CFR 261.21.*
- B. *No person shall discharge, or cause to be discharged, any of the following described water or wastes to any public sewer: Pollutants which result in the presence of toxic gases, vapors, or fumes within the*



*POTW in a quantity that may cause acute worker health and safety problems.*

- C. Any solids, greases, slurries, or viscous material of such character or in such quantity that may cause an obstruction to the flow in the sewer or otherwise interfere with the proper functioning of the sewage disposal works.*
- D. Any toxic substances, chemical elements or compounds in quantities sufficient to impair the operation or efficiency of the sewage treatment plant or that will pass through the sewage treatment plant and cause the effluent thereof to exceed NPDES permit limits, or otherwise interfere with the effective and final disposal of sludge removed or separated by the sewage treatment plant. This includes but is not necessarily limited to the substances and respective limitations listed in Section 924.04.*
- E. Any liquids having a pH lower than 6.0 or higher than 9.0, or having any corrosive property capable of causing damage or hazard to structures, equipment or personnel of the sewage disposal works.*
- F. Any wastewater having a temperature, which will inhibit biological activity at the sewage treatment plant resulting in interference; but in no case, wastewater with a temperature at the introduction into the treatment plant which exceeds 40 C (104 F).*
- G. Any slug release, which will mean any pollutant, including oxygen-demanding pollutants (BOD, etc.) released in such volume or strength as to cause interference to the sewage treatment plant.*
- H. Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration, which exceeds limits, established by the City in compliance with applicable State or Federal regulations.*
- I. Any substance with objectionable color not removed in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions.*
- J. Discharges of petroleum oil, non-biodegradable cutting oil or products of mineral oil origin are prohibited in amounts that can pass through or cause interference.*
- K. Any trucked or hauled wastes discharged into the City of Warren sewer system or treatment plant are prohibited without prior permission from the Director of the Water Pollution Control Center to a designated discharge area.*

#### **Section 4. REPORTING**

##### Periodic Compliance Reports

*Monitoring and analysis of the parameters indicated for self-monitoring in Section 1 shall be performed, and results submitted to the Industrial Pretreatment Coordinator no later than the 25th of each month. Results of any monitoring performed more often than the required frequency shall be included in the periodic reports.*

*Results of sampling above the minimum required shall also be reported if analyses were conducted according to methodology in Section 924.16*

*of the City of Warren Ordinance 10235/91 as amended. Where the results of self-monitoring indicate a violation of Pretreatment standards, the Industrial User shall notify the Director within 24 hours of becoming aware of the violation. The User shall also resample for the pollutant(s) in violation and report the results of re-sampling within 30 days of becoming aware of the initial violation.*

*These reports shall include the certification statement and shall be signed by an authorized representative of the discharger as defined in Section 15 of this Order, Signatory Requirements.*

**Section 5. ADDITIONAL REPORTING REQUIREMENTS**

- A. The industrial user shall notify the Water Pollution Control Center at 841-2591 immediately upon first awareness of any accidental, or slug discharge, which could cause problems to the POTW or violate any prohibited discharge standard. Formal written notification discussing circumstances and remedial measures shall be submitted to the Director of the Water Pollution Control Center within five (5) days of the occurrence.*
- B. The industrial user shall submit in writing to the Director of the Water Pollution Control Center, a request for approval and determination of acceptability for any new wastewater sources, or new or increased pollutants to be discharged, or any substantial change in volume or characteristics of wastewater currently discharged from the user's operation. Approval of the requested changes must be obtained prior to the introduction of the wastewater or pollutants into the sewerage system.*
- C. The industrial user shall promptly notify the Director of the Water Pollution Control Center of any new, or change in discharge, of listed or characteristic RCRA hazardous waste for which notification is required under 40 CFR 403.12. This notification does not apply to pollutants being reported by the user under compliance monitoring of categorical Pretreatment standards.*
- D. The industrial user is limited on the daily flow of 180,000 Gallons of Industrial Discharge with a maximum strength of 50,000 Mg/l of Total Dissolved Solids.*
- E. Discharge flow meter shall be calibrated on a quarterly basis, TDS meter shall be calibrated on a monthly basis.*



**Section 6. RECORDS RETENTION**

*The Discharger shall retain all of the following records for a minimum of three years, including:*

- A. All sampling and analytical records (including internal sampling data not reported);*
- B. All original recordings for any continuous monitoring instrumentation;*
- C. All instrumentation, calibration and maintenance records; and*
- D. All plant operation and maintenance records;*
- E. All reports required by this Order.*

**Section 7. CONFIDENTIAL INFORMATION**

*Except for data determined to be confidential under 924.17 of the City Ordinance, all reports and information obtained pursuant to this Order shall be available for public inspection.*

**Section 8. SAMPLING and ANALYTICAL PROCEDURES**

*All sampling and analysis of wastewater and pollutants required by this Order, shall be performed in accordance with the approved procedures and methods established and contained in 40 CFR Part 136 and amendments thereto.*

*All additional testing requirements and or fees imposed on the City of Warren WWTP as a result of Brine discharge shall be borne by the Industrial User.*

**Section 9. REPRESENTATIVE SAMPLING**

*Samples and measurements taken as required herein shall be representative of the volume and nature of the monitoring discharge. All samples shall be taken at the monitoring points specified in this Administrative Order and shall not be changed without approval of the POTW.*

**Section 10. DILUTION PROHIBITED**

*Except where expressly authorized by an applicable Pretreatment standard, no Industrial User shall increase the use of potable or process water, or in any way attempt to dilute a discharge as a partial or*



*complete substitute for adequate treatment to achieve compliance with discharge limitations.*

#### **Section 11. RECORDING of RESULTS**

*For each measurement taken pursuant to the requirements of this Order, the user shall maintain a record of the following information.*

- (a) The place, date, and time of sampling.*
- (b) The dates the analyses were performed.*
- (c) The person (s) who performed the analyses.*
- (d) The results of all required analyses.*
- (e) Sampling method, grab or composite.*
- (f) EPA approved analytical method used.*

#### **Section 12 FALSIFYING INFORMATION or TAMPERING with MONITORING EQUIPMENT**

*Knowingly making any false statement on any report or other document required by this Order or knowingly rendering any monitoring device or method inaccurate may result in punishment under the criminal provisions of the Ordinance 924.99 c, as well as being subject to civil penalties an relief.*

#### **Section 13 OPERATOR UPSETS**

- A.** *Any upset experienced by the industrial user of its treatment processes that places it in a temporary state of non-compliance with wastewater discharge limitation contained in this Order of other limitations specified in the City's Ordinance shall be reported to the Water Pollution Control Center within twenty-four (24) hours of the first awareness of the commencement of the upset. A detailed report to the Director of the Water Pollution Control Center shall be filed within five (5) days of the event. The report shall specify:*
  - (1) Description of the upset, the cause thereof, and the upset impact on a discharge compliance status;*
  - (2) Duration of the non-compliance, including exact dates and times of non-compliance and if the non-compliance continues, the time by which compliance is reasonably expected to occur;*

- (3) *All steps taken, or to be taken to reduce, eliminate, and prevent recurrence of such an upset or other conditions of non-compliance.*
- B. A documented and verified operating upset shall be an affirmative defense to an enforcement action brought against an industrial user for violations attributable to the upset event if the user can demonstrate that:*
- (1) *An upset occurred and the user can identify the cause (s) of the upset;*
  - (2) *The facility was at the time being operated in a prudent and workmanlike manner and in compliance with applicable operation and maintenance procedures;*
  - (3) *The user had submitted to the POTW, the information required in paragraph A. above.*
- C. In any enforcement preceding the industrial user seeking to establish the occurrence of an upset shall have the burden of proof.*

#### **Section 14 BYPASS of TREATMENT FACILITIES**

- A. Bypassing of treatment facilities for essential maintenance to assure efficient operation may be made provided that no violation of discharge limitations or requirements will result.*
- B. Bypassing is prohibited and enforcement action may be taken against an industrial user for a bypass unless:*
- 1. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage.*
  - 2. There were no feasible alternatives to the bypass, such as use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime.*
  - 3. The industrial user submitted notices as required in paragraph.*
- C. When bypass of wastewater from the industrial user's pretreatment facility is necessary which will cause violation of pretreatment standards or requirements, the following notifications shall be made to the control authority:*
- 1. When need for a bypass is known in advance, prior notice shall be made at least ten (10) days before the date of the bypass, if possible.*



2. *When the bypass is unanticipated, oral notice is to be submitted to the Water Pollution Control Center within 24 hours of first awareness of the bypass. A written report shall be submitted to the Superintendent within five (5) days of the time the user became aware of the bypass, describing the bypass and its cause, duration (dates and times), and if the bypass has not been corrected, the estimated time it is expected to continue. Steps taken or planned to prevent recurrence shall be included.*
- D. *Approval by the POTW of an anticipated bypass will be made only if the three (3) Conditions listed in paragraph B. are met, and there is a reasonable degree of certainty that the adverse affects that would result from the bypass would not cause a NPDES permit violation at the POTW.*

## ***Section 15 SIGNATORY REQUIREMENTS***

*All reports required under this Order shall include the following certification statement:*

*I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. Additionally, all reports shall be signed by:*

- A. *A president, secretary, treasurer, or vice president of a corporation, or;*
- B. *A general partner or proprietor if the Industrial User is a partnership or sole proprietorship respectively, or;*
- C. *A duly authorized representative of the above if the authorization is previously made in writing to the Director.*

*Edward J. Haller, Director*

*Water Pollution Control Center*



## Edward Haller

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**From:** Andrew Blocksom <andrewblocksom@yahoo.com>  
**Sent:** Wednesday, April 01, 2015 1:31 PM  
**To:** Edward Haller  
**Subject:** Re: tds language in permit

Thanks a lot Ed. Really appreciate it.

Sent from my iPhone

On Apr 1, 2015, at 1:11 PM, Edward Haller <[ehaller@warren.org](mailto:ehaller@warren.org)> wrote:

Hi Andy,

Attached are your modified Administrative Orders for the Patriot Industrial Flow. The only changes were the date and the removal of the maximum concentration of TDS.

Please note that the PTI has nothing to do with TDS or your requirement to follow the Administrative Orders issued by the City of Warren. The second last line of your PTI states that. As I understand it, the EPA set a threshold of 50,000 mg/L of TDS as being higher strength brine. The Warren WPC facility continues to struggle with issues processing sludge I believe in large part is from the high concentrations of TDS we receive from Patriot. The Warren WPC Facility experiences at least a few days each month that the Treated Effluent TDS exceeds 2000 mg/L. I have made this change in your Administrative Orders in an effort to continue to work with Patriot. These Administrative Orders are subject to change as the requirements and challenges for this facility change.

Thanks,  
Ed

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**From:** Andrew Blocksom [<mailto:andrewblocksom@yahoo.com>]  
**Sent:** Wednesday, April 01, 2015 10:21 AM  
**To:** Edward Haller  
**Cc:** Enzo Cantalamessa; Doug Franklin  
**Subject:** tds language in permit

Hello Ed,


I apologize for having to follow up on this issue again. We are beginning our sales push for new customers for spring and when meeting with clients most ask for admin orders. The current TDS language will reduce our ability to be successful and we need all of the help we can get. Would you please consider making the change for our orders to reflective of our PTI so we can avoid this challenge. We have been asked to provide our orders to a new client we have been working on for a while , ( we are holding off ) because this will kill the deal with them.

Your help would be greatly appreciated,

Thanks

Andy

**Andrew W Blocksom, President**



*(330) 853-9321 Direct*

*(330) 399-1151 Warren Plant*

*(330) 222-1274 Lisbon Office*

[www.patriotwatertreatment.com](http://www.patriotwatertreatment.com)

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<Patriot Industrial Admin Orders 2.PDF>

## Edward Haller

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**From:** Andrew Blocksom <andrewblocksom@yahoo.com>  
**Sent:** Friday, April 10, 2015 1:38 PM  
**To:** Keith Folman; Edward Haller; Jeff Faloba; Ben Dickey  
**Subject:** metals at patriot and thank you

Hi Gentlemen,

I first wanted to thank both of you for your consistent willingness to help our business. It really means a lot.

As a follow up to the Feb 26 sampling, we wanted to make you aware that we confirmed who the culprit was in our client base and as of today we will cease taking their material. Until they are willing to pretreat to an acceptable level, For the small amount of volume and low price they were willing to pay, it does not make sense for us to deal with them and risk non- compliance with you. We believe that this will make a significant difference this coming month in our sampling. Thanks Again.

Have a great weekend

Andy

***Andrew W Blocksom, President***



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**(330) 399-1151 Warren Plant**  
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## Edward Haller

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**From:** Jeff Faloba <jefffaloba@yahoo.com>  
**Sent:** Friday, April 17, 2015 11:12 AM  
**To:** Edward Haller  
**Cc:** Andrew Blocksom; Keith Folman  
**Subject:** Response to Non-Compliance Letters  
**Attachments:** Scan0043.pdf

Ed:

As required, attached is our written response that a hard copy of will be hand delivered to Keith Folman's office later today. Thank you for your co-operation on this matter.

Jeff Faloba  
330 853-2393



Water Management Solutions. Environmental Responsibility.

April 17, 2015

Keith Folman  
City of Warren  
Water Pollution Control Center  
2323 Main Avenue SW  
Warren, OH. 44481

In response to your letters of non-compliance dated April 6 and received by this office on April 10, 2015 (copies attached), we stopped receiving all wastewaters from National Heat Exchange effective April 10, 2015. National Heat Exchange's recent levels of copper, zinc and lead were determined to be many times their qualifying levels to be accepted by Patriot and the direct cause of our non-compliance.

We believe the above action will completely resolve any issues with meeting our discharge limits on copper, zinc and lead. Thank you for your cooperation in dealing with this issue.

Sincerely,

Jeff Faloba  
Operations Manager  
Patriot Water Treatment, LLC

Main Office:  
7716 Depot Rd, Unit 1  
Lisbon, OH 44432  
Phone (330) 222-1274  
Fax (330) 222-1500

[www.patriotwatertreatment.com](http://www.patriotwatertreatment.com)

Treatment Facility:  
2840 Sferra Ave  
Warren OH 44483  
Phone (330) 399-1151  
Fax (330) 399-1242



# Water Pollution Control Department

City of Warren, Ohio

William D. Franklin

Mayor

2323 Main Ave., S.W., Warren, Ohio 44481-9603

Phone: (330) 841-2591 Fax: (330) 841-2717

Enzo C. Cantalamessa

Director of Service-Safety

Edward J. Haller  
Director

James Wilden  
Superintendent

Michael T. Welke  
Maintenance/  
Biosolids Manager

Ted Montecalvo  
Sewer Systems  
Foreman

Samuel Ludwick  
Chemist

Keith Folman  
Industrial Pretreatment  
Coordinator

Edward A. Russ  
Network Systems  
Supervisor

John Gennock  
Biosolids Salesman

April 6, 2015

Andy Blocksom  
Patriot Water Treatment  
7716 Depot Road  
Lisbon, Ohio 44432

Re: Ordinance No. 10235/91  
Notification of Non-Compliance

Dear Mr. Blocksom:

We are in receipt of your February 2015 Self-monitoring reports. Our review indicates a violation of your Administrative Orders. The specific instances of non-compliance and/or deficiencies are as follows:

Date	Limited Parameter	Administrative or Ordinance limit	Reported Value
2/26/15	Copper	830 ug/L	12,000 ug/L
2/26/15	Zinc	1210 ug/L	1,900 ug/L
2/26/15	Lead	690 ug/L	1,300 ug/L

Please be advised that failure to comply with categorical and/or ordinance discharge limits, as well as the monitoring and reporting requirements specified in the applicable Pretreatment Standard and/or City Ordinance, may be subject to enforcement action pursuant to City Ordinance No. 10235/91, Chapter 924.

Inform this office, in writing, within (10) days of receipt of this notification as to the reasons for the above referenced non-compliance of the Administrative and/or ordinance provisions as well as a description of the steps taken to prevent any future non-compliance.

If you have any questions regarding the above, please contact the writer at 841-2591.

Sincerely,

Keith Folman  
WPC Pretreatment





# Water Pollution Control Department

City of Warren, Ohio

William D. Franklin

Mayor

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Edward A. Russ  
Network Systems  
Supervisor

John Gennock  
Biosolids Salesman

April 6, 2015

Andy Blocksom  
Patriot Water Treatment  
7716 Depot Road  
Lisbon, Ohio 44432

Re: Ordinance No. 10235/91  
Notification of Non-Compliance

Dear Mr. Blocksom:

We are in receipt of results taken by WPC for March 10, 2015. Our review indicates a violation of your Administrative Orders. The specific instances of non-compliance and/or deficiencies are as follows:

Date	Limited Parameter	Administrative or Ordinance limit	Reported Value
3/10/15	Copper	830 ug/L	1,940 ug/L

Please be advised that failure to comply with categorical and/or ordinance discharge limits, as well as the monitoring and reporting requirements specified in the applicable Pretreatment Standard and/or City Ordinance, may be subject to enforcement action pursuant to City Ordinance No. 10235/91, Chapter 924.

Inform this office, in writing, within (10) days of receipt of this notification as to the reasons for the above referenced non-compliance of the Administrative and/or ordinance provisions as well as a description of the steps taken to prevent any future non-compliance.

If you have any questions regarding the above, please contact the writer at 841-2591.

Sincerely,

Keith Folman  
WPC Pretreatment

**Edward Haller**

---

**From:** Andrew Blocksom <andrewblocksom@yahoo.com>  
**Sent:** Thursday, April 23, 2015 2:45 PM  
**To:** Edward Haller  
**Subject:** follow up

Hi Ed,

Hope your week is going well. I wanted to touch base with you about our progress on brine for roads. We found a technology that we are trying to put numbers to that would separate the salt from water so we could dial it in to a specific tds for safe and consistent road application. When I get the numbers I will let you know.

On a second item, we wanted to ask you if you would consider helping us with continuing the water shed study on a monthly or bi-monthly basis. We would be happy to help pay for supplies and share cost if maybe you guys could use your lab to do the tests you were doing previously. Once we get a number then we would be happy to go to a couple other industrial users to share the expense. This will really stack up the arrows in our teams quiver when and or if the regulators have opinions without data. Please let me know what you can do.

We appreciate your help always,

Best Regards  
Andy

***Andrew W Blocksom, President***



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